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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/316,560	05/24/1999	MARC DURANTON	PHF-99,540V	7958

7590 02/25/2002  
c/o U.S. PHILIPS CORPORATION  
INTELLECTUAL PROPERTY DEPARTMENT  
580 WHITE PLAINS ROAD  
TARRYTOWN, NY 10591

EXAMINER

BRAGDON, REGINALD GLENWOOD

ART UNIT	PAPER NUMBER
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2186

DATE MAILED: 02/25/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/316,560

Applicant(s)

DURANTON, MARC

Examiner

Reginald G. Bragdon

Art Unit

2186

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 12 February 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-848)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 14.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Continued Prosecution Application***

1. The request filed on 2-12-2002 for a Continued Prosecution Application (CPA) under 37 CFR 1.53(d) based on parent Application No. 09/316,560 is acceptable and a CPA has been established. An action on the CPA follows.
2. The amendment filed 2-12-2002 requesting that the specification be amended to refer to the present Continued Prosecution Application (CPA) as a continuation application of Application No. 09/316,560 has not been entered. As set forth in 37 CFR 1.53(d)(7), a request for a CPA is the specific reference required by 35 U.S.C. 120 to every application assigned the application number identified in such request. Thus, there is no need to amend the first sentence of the specification to refer back to the prior application and any such amendment shall be denied entry.

### ***Information Disclosure Statement***

3. The information disclosure statement received 2-12-2002 has not been considered since the documents cited on the IDS were previously considered during prosecution of this application and therefore are already of record.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

Art Unit: 2186

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-5 are rejected under 35 U.S.C. 102(b) as being anticipated by Torii et al. (4,734,850).

As per claims 1, 4, and 5, Torii et al. teaches a data processing system including a plurality of execution units (E-units 1 and 6 in figure 1), which represent a “first processor” and a “second processor”. A “memory system” is shown in figure 2, including memory banks 47, 48 (“plurality of memory circuits”), which are independent of each other. See column 2, line 67, to column 3, line 1. These FIFO memories of figure 2 are shared between the execution units as described in column 2, lines 7-15. A mode indicating circuit 41 (“master controller”) provides a signal for repetitively indicating at a constant interval a write mode to banks 47, 48. See column 3, lines 26-43. A read/write control circuit 100 (“control unit”) generates a write address from a write control circuit 42 for write data (“selecting a first memory... by the first processor”; see column 4, line 60, to column 5, line 22) and a read address from read control circuit 43 for read data (“selecting a second memory... by the second processor”; see column 6, line 64 to column 7, line 11). Furthermore, Torii et al. teaches writing to one bank 47 simultaneously with reading from the other bank 48, and visa versa. See column 7, lines 46-52.

As per claim 2, Torii et al. teaches a write counter and a read counter for generating addresses. See claim 18, for example, and figures 4 and 5.

As per claim 3, Torii et al. teaches a write request input, WREQ, (“NXT\_W”) and a read request input, RREQ, (“NXT\_R”). See column 4, lines 2-13, and column 6, lines 39-41.

*Response to Arguments*

6. Applicant's arguments filed 2-4-2002 (entered with the filing of the CPA on 2-12-2002) have been fully considered but they are not persuasive.

Applicant argues that Torii et al. does not teach the limitations of the claims, as amended, which now recite "independent memory circuits" that are set-up by a master controller and shared by the first and second processors. In describing the new limitation of "independent memory circuits", Applicant refers to page 3, line 31, of the specification. However, the cited section of the specification does not define how the "memory circuits" are independent, merely stating that the memory circuits are independent. Therefore, any "independence" between the "memory circuits" of Torii et al. would teach this new limitation. For example, the memory banks of Torii et al, as shown in figure 2, are separate from each other, and are therefore "independent" (in much the same manner as the described memory banks of Applicant's figure 1 are separate from each other). Torii et al. even teaches that the banks 47 and 48 of figure 2 are read and written independently of each other. See column 2, line 67, to column 3, line 1.

Furthermore, since the memory banks 47 and 48 are controlled by the single mode indicating circuit 41 ("master controller") in figure 2 (where figure 2 is representative of a FIFO memory 22 in figure 1), then Torii et al. teaches that a single "master controller" (mode indicating circuit 41) controls the two independent memory banks 47 and 48.

Applicant's argument that Torii et al. teaches that each execution unit (1 and 6 as utilized in the rejection) has a respective mode indicating circuit is not persuasive. There is no indication in Torii et al. that each execution unit contains a mode indicating circuit for corresponding FIFO memories. Instead, it appears that there is a single mode indicating circuit for each FIFO

Art Unit: 2186

memory, since figure 2 is a diagram of a FIFO memory. Applicant appears to also agree with this statement since at page 6, lines 3-5, of the response filed 2-4-2002 (amendment B, paper no. 10) Applicant states that "each FIFO has an individual Mode Indicating Circuit 41 that controls only that particular FIFO".

*Conclusion*

7. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

(703) 746-7238	(After Final Communications)
or	
(703) 746-7239	(Official Communications)
(703) 746-7240	(For Status inquiries, draft communications)
and/or	
(703) 746-5693	(Use this FAX#, only after approval by the Examiner, for "INFORMAL" or "DRAFT" communications. An Examiner may request that a formal page/amendment be faxed directly to them on occasion).

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Fourth Floor (receptionist).

Art Unit: 2186

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Reginald G. Bragdon whose telephone number is (703) 305-3823. The examiner can normally be reached on Monday-Thursday from 7:00 AM to 4:30 PM and every other Friday from 7:00 AM to 3:30 PM.

The examiner's supervisor, Matthew Kim, can be reached at (703) 305-3821.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

RGB  
February 22, 2002

*Reginald G. Bragdon*  
Reginald G. Bragdon  
Primary Patent Examiner  
Art Unit 2186